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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,187	06/24/2003	Ross Cutler	302973.1	1028

7590 05/21/2007
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EXAMINER

MADDEN, GREGORY VINCENT

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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05/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 10/602,187	Applicant(s) CUTLER, ROSS	
	Examiner Gregory V. Madden	Art Unit 2622	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 April 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: 22.
 Claim(s) objected to: 18.
 Claim(s) rejected: 1-17, 19-21 and 23-28.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See continuation sheet.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
 13. ☒ Other: Interview summary.

CONTINUATION OF PTOL-303***Response to Arguments***

Applicant's arguments filed April 27, 2007 have been fully considered but they are not persuasive.

In regard to **claims 1, 3, 5, 6, 11, 15, 19, and 23-25**, the Applicant has amended the independent claims to read “a single view camera mounted to the distal end of said boom”. Applicant argues that the Keenan reference (U.S. Pub. 2004/0201698) only teaches a view camera with multiple (e.g. three) cameras provided therein, and that these cameras only capture a portion of the whiteboard, not the entire whiteboard. However, the Examiner respectfully disagrees. Keenan teaches in Para. [0063] that the view camera (or camera head) may contain a single digital camera. Keenan goes on to say that “if a single digital camera is used and the size of the board is significant, the digital camera can be pivotally mounted within the camera head so that it sweeps in an arc under software control in order to acquire images of the entire board”. The Examiner believes that this statement shows that, in Keenan, a single camera can be used to capture an in focus uniform resolution of an entire whiteboard, as multiple images of different target areas are captured only when the size of the whiteboard is significant, not necessarily at all times. For this reason, the Examiner maintains the rejection of claims 1, 3, 5, 6, 11, 15, 19, and 23-25, regardless of the addition of the limitation “a single view camera”.

Next, considering **claims 12-14**, Applicant argues that the official notice taken by the Examiner is improper, as no prior art was cited. However, the Examiner maintains that the Applicant's specification teaches that the whiteboard image enhancement is performed by “conventional” methods, and therefore must be well-known in the art. Specifically, the specification states, on Pg. 23, Lines 10-14, that “In addition, firmware or software can be used to perform whiteboard processing, such as creating enhanced whiteboard images (white balance, shadow removal, demosaicing), segmenting non-whiteboard objects

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(e.g. people), detecting stroke and key frame events. Any conventional method of performing such whiteboard enhancement processing can be used” (emphasis added). The Examiner notes that the “such whiteboard enhancement processing” is written to include white balancing of the whiteboard images, shadow removal on the whiteboard image, and segmenting of non-whiteboard objects from the whiteboard image. As the Applicant states that this whiteboard enhancement processing can be performed using any conventional method, the Examiner believes that the Applicant has admitted that whiteboard enhancement processing is known in the art, and therefore no prior art references are considered to be necessary. Thus, claims 12-14 remain rejected on the basis set forth in the previous office action.

As for **claims 2, 4, 7, 16, 17, 20, 21, 26, and 27**, the Applicant contends that Keenan in view of Rodriguez Jr. (U.S. Pat. 6,179,426) does not teach the limitations that the single view camera is adjusted on the boom so that the camera’s depth of field covers the desired portion(s) of the whiteboard, the tilt angle of the camera’s sensing surface is approximately parallel to the plane of the whiteboard, and the distance between the center of projection of the camera and the camera’s sensing surface is adjusted to provide optimum focus. Specifically, Applicant states that “...*Rodriguez does not teach the applicant’s claimed single camera for capturing images of a whiteboard wherein a boom is positioned above a whiteboard to capture an in focus uniform resolution image of the entire whiteboard*” (See Remarks, Pg. 13). Again, the Examiner respectfully disagrees. As shown above, the Examiner believes that the Keenan reference teaches the claimed single camera used to capture a uniform resolution image of the entire whiteboard, while Col. 13, Lines 8-27 and Fig. 13 of Rodriguez teaches that the projection system may also include a camera (756) that captures images of the whiteboard. For this reason, the Examiner believes that the combination of Keenan and Rodriguez is proper, as both Keenan and Rodriguez capture images of a whiteboard, with Keenan capturing these images using a single view camera. Therefore, the

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rejections of claims 2, 4, 7, 16, 17, 20, 21, 26, and 27 set forth in the previous office action are maintained.

Next, considering **claims 8-10**, the Applicant again argues that Keenan fails to teach a single camera for capturing images of a whiteboard wherein a boom is positioned above a whiteboard to capture an in focus uniform resolution image of the entire whiteboard, and that neither the Rodriguez nor the Addeo reference (U.S. Pat. 5,335,011) teach such a camera to overcome the alleged deficiencies of the combination (See Remarks, Pgs. 14-15). However, as is set forth above with respect to claims 1, 3, 5, 6, 11, 15, 19, and 23-25, the Examiner believes that the Keenan reference does teach a single camera for capturing in focus uniform resolution images of the entire whiteboard. Thus, the Examiner does not agree with the Applicant's arguments regarding claims 8-10, and the rejections set forth in previous office action are maintained.

Finally, considering **claim 28**, the Applicant again argues that Keenan fails to teach a single camera for capturing images of a whiteboard wherein a boom is positioned above a whiteboard to capture an in focus uniform resolution image of the entire whiteboard, and that neither the Rodriguez nor the Branc reference (U.S. Pat. 6,122,865) teach such a camera to overcome the alleged deficiencies of the combination (See Remarks, Pgs. 15-17). However, as is set forth above with respect to claims 1, 3, 5, 6, 11, 15, 19, and 23-25, the Examiner believes that the Keenan reference does teach a single camera for capturing in focus uniform resolution images of the entire whiteboard. Thus, the Examiner does not agree with the Applicant's arguments regarding claim 28, and the rejections set forth in previous office action are maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory V. Madden whose telephone number is 571-272-8128. The examiner can normally be reached on Mon.-Fri. 8AM-5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory Madden
May 8, 2007



NGOC-YEN VU
SUPERVISORY PATENT EXAMINER